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FILED
2010 OCT 15 P 3:07
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JL

CV 10 4665

STEPHANIE HILL,

) Case No.:

Plaintiff,

) PLAINTIFF'S VERIFIED COMPLAINT
) AND DEMAND FOR JURY TRIAL

v.

) (Unlawful Debt Collection Practices)

CHASE RECEIVABLES,

Defendant.

VERIFIED COMPLAINT

STEPHANIE HILL (Plaintiff), by her attorneys, KROHN & MOSS, LTD., alleges the following against CHASE RECEIVABLES, (Defendant):

INTRODUCTION

1. Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. (FDCPA).

JURISDICTION AND VENUE

2. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy," and 28 U.S.C. 1367 grants this court supplemental jurisdiction over the state claims contained therein.
3. Defendant conducts business in the state of California, and therefore, personal jurisdiction is established.

1 4. Venue is proper pursuant to *28 U.S.C. 1391(b)(1)*.

2 **PARTIES**

3 5. Plaintiff is a natural person residing in Baltimore, Baltimore County, Maryland.

4 6. Plaintiff is a consumer as that term is defined by *15 U.S.C. 1692a(3)*, and according to
5 Defendant, Plaintiff allegedly owes a debt as that term is defined by *15 U.S.C. 1692a(5)*
6 and *Cal. Civ. Code § 1788.2(h)*.

7 7. Defendant is a debt collector as that term is defined by *15 U.S.C. 1692a(6)* and *Cal. Civ.*
8 *Code §1788.2(c)*, and sought to collect a consumer debt from Plaintiff.

9 8. Defendant is a collection agency with its headquarters in Sonoma, California.

10 9. Defendant acted through its agents, employees, officers, members, directors, heirs,
11 successors, assigns, principals, trustees, sureties, subrogees, representatives, and
12 insurers.

13 **FACTUAL ALLEGATIONS**

14 10. Defendant constantly and continuously placed collection calls to Plaintiff seeking and
15 demanding payment for an alleged debt.

16 11. Defendant placed approximately three (3) collection calls to Plaintiff every day.

17 12. Defendant placed collection calls to Plaintiff at her home telephone number 410-624-
18 4233.

19 13. Defendant called Plaintiff 'stupid.'

20 **COUNT I**

21 **DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

22 14. Defendant violated the FDCPA based on the following:

23 a. Defendant violated *§1692d* of the FDCPA by engaging in conduct the natural
24 consequence of which is to harass, oppress, and abuse Plaintiff.

25 b. Defendant violated *§1692d(5)* of the FDCPA by causing a telephone to ring
repeatedly and continuously with the intent to annoy, abuse, and harass Plaintiff.

1 WHEREFORE, Plaintiff, STEPHANIE HILL, respectfully requests judgment be entered
2 against Defendant, CHASE RECEIVABLES, for the following:

- 3 15. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15
4 *U.S.C. 1692k*,
5 16. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act,
6 *15 U.S.C. 1692k*
7 17. Any other relief that this Honorable Court deems appropriate.

8
9 **DEMAND FOR JURY TRIAL**

10 PLEASE TAKE NOTICE that Plaintiff, STEPHANIE HILL, demands a jury trial in this
11 case.

12 RESPECTFULLY SUBMITTED,

13
14 Dated: October 12, 2010

15 By: _____
16 Ryan Lee, Esq.
17 KROHN & MOSS, LTD.
18 Attorneys for Plaintiff,
19 STEPHANIE HILL
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VERIFICATION OF COMPLAINT AND CERTIFICATION

STATE OF MARYLAND

Plaintiff, STEPHANIE HILL, states as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.

Pursuant to 28 U.S.C. § 1746(2), I, STEPHANIE HILL, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

DATE: 09-14-10
STEPHANIE HILL